

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ROBERT VOLIO, individually  
and on behalf of all others similarly  
situated,

Plaintiff,

v.

RUSH STREET GAMING LLC and  
SUGARHOUSE SHP GAMING, L.P. d/b/a  
RIVERS CASINO PHILADELPHIA,

Defendants.

Case No. 2:25-cv-00039-JDW

CLASS ACTION

KEVIN BRADY, individually  
and on behalf of all others similarly  
situated,

Plaintiff,

v.

RUSH STREET GAMING LLC and  
SUGARHOUSE SHP GAMING, L.P. d/b/a  
RIVERS CASINO PHILADELPHIA,

Defendants.

Case No. 2:25-cv-00054-JDW

CLASS ACTION

KEVIN BROCKHOFT, individually  
and on behalf of all others similarly  
situated,

Plaintiff,

v.

SUGARHOUSE SHP GAMING, L.P. d/b/a  
RIVERS CASINO PHILADELPHIA and RUSH  
STREET GAMING LLC,

Defendants.

Case No. 2:25-cv-00073

CLASS ACTION

WILLIAM MOORE, individually and on behalf  
of all others similarly situated,

Plaintiff,

v.

RUSH STREET GAMING LLC and  
SUGARHOUSE SHP GAMING, L.P. d/b/a  
RIVERS CASINO PHILADELPHIA,

Defendants.

Case No. 2:25-cv-00091

CLASS ACTION

BRETT NELSON, individually  
and on behalf of all others similarly  
situated,

Plaintiff,

v.

RUSH STREET GAMING LLC and  
SUGARHOUSE SHP GAMING, L.P. d/b/a  
RIVERS CASINO PHILADELPHIA,

Defendants.

Case No. 2:25-cv-00106

CLASS ACTION

SHAWN MARTIN, individually  
and on behalf of all others similarly  
situated,

Plaintiff,

v.

RUSH STREET GAMING LLC and  
SUGARHOUSE SHP GAMING, L.P. d/b/a  
RIVERS CASINO PHILADELPHIA,

Defendants.

Case No. 2:25-cv-00109

CLASS ACTION

BONNIE HERMANN, individually  
and on behalf of all others similarly  
situated,

Plaintiff,

v.

RUSH STREET GAMING LLC and  
SUGARHOUSE SHP GAMING, L.P. d/b/a  
RIVERS CASINO PHILADELPHIA,

Defendants.

Case No. 2:25-cv-00130

CLASS ACTION

**RENEWED MOTION TO CONSOLIDATE CASES AND  
APPOINT INTERIM CO-LEAD CLASS COUNSEL**

For the reasons set forth in the accompanying Memorandum of Law, Plaintiffs in the above-captioned actions respectfully request that the Court (1) consolidate the above-captioned Related Actions pursuant to Fed. R. Civ. P. 42(a) under the caption of the first-filed *Volio* docket, No. 2:25-cv-00039, and administratively close the *Brady*, *Brockhoft*, *Nelson*, *Moore*, *Martin*, and *Hermann* matters; (2) appoint Kenneth J. Grunfeld of Kopelowitz Ostrow P.A., Gary M. Klinger of Milberg Coleman Bryson Phillips Grossman PLLC, Charles E. Shaffer of Levin Sedran & Berman, LLP, and Andrew W. Ferich of Ahdoot & Wolfson, PC as interim co-lead class counsel pursuant to Fed. R. Civ. P. 23(g)(3); and (3) set a deadline for Plaintiffs to file a consolidated complaint within 30 days of any Order granting this Motion.

This Motion is supported by all 7 of the filed cases' Plaintiffs and their counsel. Counsel for Defendant has been informed of the filing of this Motion and supports the Plaintiffs' Motion to Consolidate and takes no position on leadership. A proposed Order has been filed contemporaneously herewith.

Dated: January 27, 2025



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Kenneth J. Grunfeld (PA I.D. 84121)

Jeff Ostrow\*

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*Proposed Interim Co-Lead Class Counsel*

*\*pro hac vice pending or to be filed*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 27th day of January, 2025, a true and correct copy of the above and foregoing was filed with the Clerk of Court via the Court's CM/ECF system for electronic service on all counsel of record.

Dated: January 27, 2025

A handwritten signature in black ink, appearing to read 'KJ Grunfeld', is written above a horizontal line.

Kenneth J. Grunfeld (PA I.D. 84121)  
**KOPELOWITZ OSTROW P.A.**